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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/627,902	07/27/2000	James F. Kearney	0014-003P/FS3	2226

7590 03/27/2002

FRITZ L. SCHWEITER III, ESQ.
SCHWEITER CORNMAN GROSS & BONDELL, LLP
292 MADISON AVENUE, 19TH FLOOR
NEW YORK, NY 10017

EXAMINER

HEPPERLE, STEPHEN M

ART UNIT	PAPER NUMBER
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3753

DATE MAILED: 03/27/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental
Notice of Allowability

Application No.

09/627,902

Examiner

Stephen M. Hepperle

Applicant(s)

KEARNEY, JAMES F.

Art Unit

3753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1,2 and 6-16.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☒ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☒ CORRECTED DRAWINGS must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☒ to Paper No. 4.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the top margin (not the back) of each sheet. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)


- | | |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input checked="" type="checkbox"/> Other oath deficiencies statement. |

Art Unit: 3753

The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because: the serial number is incorrect, and the oath improperly claims priority to an earlier application with which it was not copending.

Applicant is now required to submit a substitute declaration or oath to correct the deficiencies set forth above. The substitute oath or declaration must be filed within the THREE MONTH shortened statutory period set for reply in the "Notice of Allowability" (PTO-37). Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136. Failure to timely file the substitute declaration (or oath) will result in **ABANDONMENT** of the application. The transmittal letter accompanying the declaration (or oath) should indicate the following in the upper right hand corner: Issue Batch Number, date of the "Notice of Allowance" (PTOL-85), and application number.


STEPHEN M. HEPPERLE
PRIMARY EXAMINER
ART UNIT 347

only 2 pgs sent PTO

SCHWEITZER CORNMAN GROSS & BONDELL LLP

292 Madison Avenue, 19th Floor, New York, NY 10017

Tel. 646-424-0770

Fax: 646-424-0880

FAX

To: Stephen M. Hepperle
Fax No.: 1-703-746-4595
From: Fritz L. Schweitzer III
Date: March 27, 2002
Re: Executed Declaration and Power
Our File: 0014-002P
Pages: 3, total

*Papers for
2 different
cases*

Comments:

Dear Sir:

Attached you will find two Declarations and Powers of Attorney for James F. Kearney, executed on March 27, 2002, Serial Nos. 09/627,902 and 09/627,903, both filed on July 27, 2000, for BEARING-SUPPORTED DAMPER ASSEMBLY.

SCHWEITZER CORNMAN GROSS & BONDELL LLP

292 Madison Avenue, 19th Floor
New York, NY 10017

NOTICE: THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE AND MAY CONTAIN IMPORTANT INFORMATION THAT IS PRIVILEGED AND CONFIDENTIAL. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, REPRODUCTION, OR DISSEMINATION OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY COLLECT TELEPHONE CALL TO CONFIRM THAT ANY ERRONEOUSLY RECEIVED DOCUMENTS HAVE BEEN DESTROYED. THANK YOU.

MAR-27-2002 16:14

SCHWEITZER CG AND B LLP
ATTORNEY AND COUNSELOR AT LAW
CONTINUATION-IN-PART APPLICATION

09/627,902
646 424 0880 P. 03/03

As below named inventor, I hereby declare that:

OK to Enter

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

BEARING-SUPPORTED DAMPER ASSEMBLY

the specification of which was filed on July 27, 2000 under Serial No. 09/627,902

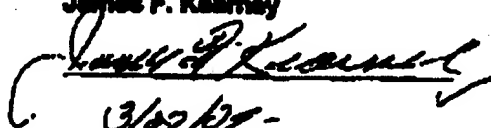
I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to the examination of this application in accordance with Title 37, C.F.R. 1.56.

And I hereby appoint Fritz L. Schweitzer, Jr., Registration No. 17,402, Michael A. Cornman, Registration No. 20,672, Meyer A. Gross, Registration No. 22,036, Jay A. Bondell, Registration No. 26,188, Fritz L. Schweitzer III, Registration No. 29,383 and Robert I. Pearman, Registration No. 18,881, to prosecute this application and to transact all business in the Patent Office connected therewith, and I hereby request that all correspondence herein be directed to:

SCHWEITZER CORNMAN GROSS & BONDELL LLP
202 Madison Avenue, 18th Floor
New York, New York 10017
Telephone No. (646)424-0770
Fax No. (646)424-0880

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of inventor	:	James F. Kearney
Inventor's signature	:	
Date	:	3/27/02
Residence Address	:	70 Nelson Street, Farmingdale NY 11738
Post Office Address	:	Same as above
Citizenship	:	United States

Schweitzer Cornman Gross & Bondell LLP, 202 Madison Avenue, 18th Floor, New York, NY

TOTAL P. 03.

Received from < 646 424 0880 > at 3/27/02 3:28:15 PM [Eastern Standard Time]

TOTAL P. 03

MPR-27-2882 16:14

SCHWEITZER CG AND B LLP
CONTRIBUTION-IN-PART APPLICATION

09/627,902
646 424 8888 P.03/83

#12
DM
05/24/02

As below named inventor, I hereby declare that:

OK to Enter

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

BEARING-SUPPORTED DAMPER ASSEMBLY

the specification of which was filed on July 27, 2000 under Serial No. 08/627,902

I hereby state that I have reviewed and understand the contents of the aboveidentified specification including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to the examination of this application in accordance with Title 37, C.F.R. 1.56.

And I hereby appoint Fritz L. Schweitzer, Jr., Registration No. 17,402, Michael A. Comman, Registration No. 20,572, Meyer A. Gross, Registration No. 22,028, Jay A. Bondell, Registration No. 26,186, Fritz L. Schweitzer III, Registration No. 28,388 and Robert I. Pasternak, Registration No. 18,881, to prosecute this application and to transact all business in the Patent Office connected therewith, and I hereby request that all correspondence herein be directed to:

SCHWEITZER COMMAN GROSS & BONDELL LLP
282 Madison Avenue, 18th Floor
New York, New York 10017
Telephone No. (212) 424-0770
Fax No. (212) 424-0880

I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of inventor	:	James P. Kearney
Inventor's signature	:	<i>James P. Kearney</i>
Date	:	3/27/02
Residence Address	:	78 Nelson Street, Farmingdale NY 11736
Post Office Address	:	Same as above
Citizenship	:	United States

Schweitzer Comman Gross & Bondell LLP, 282 Madison Avenue, 18th Floor, New York, NY

TOTAL P.03.

Received from <646 424 8888> at 2002/03/27 15:15 PM (Eastern Standard Time)

TOTAL P.03